UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CIVIL NO.: 20-1767 (DSD/ECW)

Adolfo Gutierrez Avila, Jr,

Plaintiff,

v.

ORDER

Jeff Titus, being sued in his individual capacity,

Defendant.

This matter comes before the court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated May 11, 2021 (R&R). No objections have been filed to the R&R in the time period permitted. Based on the R&R and the files, records, and proceedings herein, IS HEREBY ORDERED that:

- 1. The R&R [ECF No. 14] is adopted in its entirety;
- 2. The individual capacity claims against defendant Jeff Titus are dismissed without prejudice pursuant to Federal Rule of Civil Procedure $4\,(m)$; and
 - 3. This action is dismissed without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: June 3, 2021

/s David S. Doty

David S. Doty, Judge

United States District Court